

BANK OF BOTSWANA
PRESS RELEASE
ILLEGAL DEPOSIT-TAKING ACTIVITIES

The public is hereby informed that the Bank of Botswana (Bank) has established that a company by the name Aquapanel (Pty) Limited (Aquapanel) has been involved in soliciting and taking deposits from members of the public without a valid licence.

Illegal deposit-taking activities in Botswana contravene Section 3(1) of the Banking Act (CAP. 46:04) (Act), which restricts transacting banking business and/or soliciting deposits of money to licensed banks. It is also a criminal offence, punishable by law, for any person to promote and participate in the aforementioned illegal activities in Botswana. Section 5(1) of the Act empowers the Bank to investigate a person or entity suspected to be conducting unlicensed banking business and/or illegal deposit-taking activities. According to the Act, when investigations confirm the contravention, subject to other intervening measures, the illegal activities shall be suspended forthwith.

The Bank has accordingly directed Aquapanel to cease and desist from conducting the illegal business. Aquapanel operated on rented premises at Grand Park, Unit B4/S11, Block 5 in Gaborone.

Given the enhanced financial technology, online platforms present complications to the investigations of some illegal deposit-taking operations, countries of origin and issues of licensing in different jurisdictions. Therefore, members of the public are advised to be vigilant when making investment decisions, particularly through use of online platforms. Participation in illegal schemes inevitably results in losses of money; consequently, the public is urged to desist from participating in them. The Bank, together with other regulatory authorities, will continue to monitor and take appropriate measures to contain the spread of illegal deposit-taking activities. Any entity or person involved in illegal deposit-taking contravenes the banking laws and, if found guilty, is liable to a fine of P2 500 for each day on which the offence occurs and to imprisonment for five years as stipulated in Section 3(4) of the Act.

May 8, 2018